

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Sears Logistics Services, Inc.,

Plaintiff,

v.

Phoenix Warehouse,

Defendant.

Case No. 2:14-cv-999

Judge Watson

Magistrate Judge Kemp

**JOINT MOTION TO EXTEND DISCOVERY AND DISPOSITIVE
MOTION DEADLINES**

Plaintiff Sears Logistics Services, Inc. and Defendant Phoenix Warehouse move the Court for 28-day extension of the discovery and dispositive motion deadlines. An extension of these deadlines is necessary because, despite their good-faith efforts, the parties cannot complete discovery within the present discovery period. No other deadlines in the case will be affected by this request.

The parties recently have learned in the process of completing discovery that a Stipulated Protective Order is necessary to protect proprietary documents and information that will be produced. A joint motion requesting the entry of a Protective Order is being filed contemporaneously with this motion. Once a Protective Order is entered by the Court, the parties will be able finalize written discovery, produce documents pursuant to the Protective Order, and complete remaining depositions.

The parties jointly request that the discovery deadline be extended through August 28, 2015, and that the dispositive motion deadline be extended through September 25, 2015. This extension of time is sought in good faith in order to permit the parties to complete written

discovery and depositions and also have adequate time to prepare dispositive motions. This extension will not prejudice either party.

Respectfully submitted,

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Certificate of Service

I certify that on July 24, 2015, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to:

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Attorney for Defendant Phoenix Warehouse

s/ Gregory P. Mathews
An Attorney for Plaintiff